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Third Party Defendant
Larry Sagarin

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

S & L VITAMINS, INC., Plaintiff, - vs. - AUSTRALIAN GOLD, INC., Defendant.	CIVIL ACTION NO. 05-CV-1217 (JS) (MLO) **MOTION**
AUSTRALIAN GOLD, INC., Third Party Plaintiff, - vs. - LARRY SAGARIN AND JOHN DOES 1-10, Third Party Defendants.	

Plaintiff S&L Vitamins, Inc. and Third Party Defendant Larry Sagarin, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, moves the court to enter a judgment of

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dismissal in favor of movants on Counts One through Ten of defendant's counterclaim and third party complaint.

Plaintiff and Third Party Defendant submit the following documents in support of their motion:

1. Proposed Order
2. Brief in Support of Motion

Dated: June 29, 2005

Ronald Coleman
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